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5 Counsel for Defendant CONTRERAS-TOLENTO

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7  
8 IN THE UNITED STATES DISTRICT COURT  
9  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, )  
12 ) No. CR 07-0724 DLJ  
Plaintiff, )  
13 )  
14 v. ) STIPULATION AND  
ORDER CONTINUING CHANGE OF  
15 ) PLEA DATE AND EXCLUSION OF  
TIME  
16 ARMANDO CONTRERAS- )  
TOLENTO, )  
17 )  
Defendant. )

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date or  
19 change of plea date in this case, currently scheduled for Friday, July 11, 2008, before Honorable D.  
20 Lowell Jensen, may be continued to Friday, July 25, 2008, at 9:00 a.m. for change of plea. The  
21 reason for the request is that defense counsel will be out of the office on July 11, 2008 and would  
22 like to be present during the change of plea. In addition, the case was recently reassigned within the  
23 United States Attorney's Office. The parties have discussed a resolution of the case and defense  
24 counsel needs additional time to discuss the matter with Mr. Contreras-Tolento as he decides  
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1 whether to plead with or without an agreement. The parties stipulate that the time from July 11,  
2 2008, to July 25, 2008, should be excluded in accordance with the Speedy Trial Act, 18 U.S.C. §§  
3 3161(h)(8)(A) and (B)(iv) for continuity of counsel and adequate preparation of counsel.

4  
5 /S/  
6 DATED: July 8, 2008  
7 JOYCE LEAVITT  
8 Assistant Federal Public Defender

9 /S/  
10 DATED: July 8, 2008  
11 JOSHUA HILL  
12 Assistant United States Attorney

13 I hereby attest that I have on file all holographed signatures for any signatures indicated by a  
14 conformed signature “/s/” within this e-filed document.

15 **ORDER**

16 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the change of plea date in this  
17 case, currently scheduled for Friday, July 11, 2008, before Honorable D. Lowell Jensen, may be  
18 continued to Friday, July 25, 2008, at 9:00 a.m. for change of plea.

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2 IT IS FURTHER ORDERED that the time from July 11, 2008, to July 25, 2008, should be  
3 excluded in accordance with the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for  
4 continuity and adequate preparation of counsel. The Court finds that the ends of justice served by  
5 the granting of the continuance outweigh the best interests of the public and the defendant in a  
6 speedy and public trial and the failure to grant the requested continuance would unreasonably deny  
7 counsel the reasonable time necessary for effective preparation, taking into account due diligence.  
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10  
11 SO ORDERED.  
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15 DATED: July 9, 2008



HONORABLE D. LOWELL JENSEN  
United States District Judge